

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KENNETH CRAWFORD,

Plaintiff,

Civil Case No. 17-11423

Honorable Linda V. Parker

v.

HEIDI WASHINGTON,
MICHIGAN DEPARTMENT OF
CORRECTIONS, CRAIG HUTCHINSON,
QUALITY CORRECTIONAL CARE OF
MICHIGAN, and MICHIGAN CORRECTIONS
COMMISSION

Defendants.

**OPINION AND ORDER (1) ADOPTING MAGISTRATE JUDGE'S JUNE
11, 2018 REPORT AND RECOMMENDATION [ECF NO. 46]; (2)
GRANTING MOTION FOR SUMMARY JUDGMENT BY DEFENDANTS
QUALITY CORRECTIONAL CARE OF MICHIGAN AND CRAIG
HUTCHINSON (ECF NO. 33); AND (3) DISMISSING PLAINTIFF'S
CLAIMS AGAINST DEFENDANT MICHIGAN CORRECTIONS
COMMISSION**

This is a civil rights action brought pursuant to 42 U.S.C. § 1983, in which Plaintiff alleges deliberate indifference to his serious medical needs. On December 29, 2017, Defendants Craig Hutchinson, M.D. and Quality Correctional Care of Michigan filed a motion for summary judgment. (ECF No. 33.) The matter has been assigned to Magistrate Judge Anthony P. Patti for all pretrial proceedings, including a hearing and determination of all non-dispositive matters pursuant to 28

U.S.C. § 636(b)(1)(A) and/or a report and recommendation on all dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(B). (ECF No. 9.)

Magistrate Judge Patti issued a report and recommendation (“R&R”) on June 11, 2018, in which he recommends that the Court grant the pending summary judgment motion. (ECF No. 46.) Magistrate Judge Patti further recommends that the Court *sua sponte* dismiss Plaintiff’s claims against the Michigan Corrections Commission pursuant to 28 U.S.C. § 1915A(b)(1) because Plaintiff fails to state a viable claim against this defendant. At the conclusion of the R&R, Magistrate Judge Patti advises that the parties may object to and seek review of the R&R within fourteen days of service upon them. (*Id.* at Pg ID 302-03.) He further specifically advises the parties that “[f]ailure to timely file objections constitutes a waiver of any further right to appeal.” (*Id.* at Pg ID 302) Neither party filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Patti. The Court therefore adopts the R&R.

Accordingly,

IT IS ORDERED that the motion for summary judgment filed by Defendants Craig Hutchinson and Quality Correctional Care of Michigan (ECF No. 33) is **GRANTED**;

IT IS FURTHER ORDERED that Plaintiff's claims against Defendant Michigan Corrections Commission are *sua sponte* dismissed pursuant to 28 U.S.C. § 1915(A)(b)(1).

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: July 23, 2018

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, July 23, 2018, by electronic and/or U.S. First Class mail.

s/ R. Loury
Case Manager